

**ATTORNEY DOCKET NO. 04156.0016U1
PATENT
VIA EFS WEB FILING**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop APPEALS
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR LLP
Customer Number 23859

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. § 41.31 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 14, 2010, claims 25-28 and 33-35 having now been at least twice rejected.

The item(s) checked below are appropriate:

1. An extension of time to respond to the Final rejection:
(a) was obtained for _____ month(s).
(b) is requested herewith under 37 C.F.R. § 1.136.

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APPLICATION NO. 10/540,462

2. An credit card payment is submitted herewith in the amount of \$825.00. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

- Appeal fee amount pursuant to 37 C.F.R. § 41.20(b)(1) = \$270.00 for a small entity.
- Extension of Time fee amount pursuant to 37 C.F.R. § 1.17(a)(3) = \$555.00 for a small entity.

Respectfully submitted,

BALLARD SPAHR LLP

/Kevin W. Hathcock/
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